

REMARKS

Claims 1-56 are all the claims pending in the application.

I. Claim Rejections - 35 USC § 102

The Examiner has rejected claims 1-7, 9, 11-18, 22-30, 32, 34-42, 44 and 46-56 under 35 U.S.C. § 102(e) as being anticipated by Goldberg (US 6,526,158) [“Goldberg”]. For at least the following reasons, Applicant traverses the rejection.

Claim 1 recites an image collecting system that comprises “an image collecting unit ... to identify images stored in said image database ... based on the character information ... and the position information of the target character obtained by said character positioning unit, and collect images in which the target character is caught from the images stored in said image database.” (emphasis added). The Examiner contends that Goldberg discloses this feature.

Specifically, the Examiner contends that “remote identification or identifiers” corresponds to the claimed character information and, as best understood, an image distribution station integrated into a kiosk corresponds to the claimed image collecting unit. The Examiner cites col. 7, lines 41-58, col. 14, lines 4-16, col. 15, lines 21-26, and col. 15, lines 41-49 to support his position.

Office Action at pages 4-5.

Column 7, lines 41-58, at most discloses that remote identifiers may be used to get the approximate location of patrons within the cars of a ride for image capture. There is no disclosure or suggestion of using the location of the patrons for image identification by the image distribution stations (kiosks). Although column 14, lines 4-16, discloses that information such as date, time and name of ride may be stored with the corresponding patron identification

when an image is stored, there is no disclosure or suggestion that this information is actually used to identify an image by the image distribution stations (kiosks). Column 15, lines 21-26 merely discloses that information from multiple remote locations that capture images will be stored in one location. Column 15, lines 41-49 discloses that image distribution station may be integrated into kiosks and used by patrons to retrieve images.

Applicant submits that none of the cited sections or any other part of Goldberg discloses or suggests that stored images may be identified based on position information by the image distribution stations (kiosks). At most, Goldberg discloses that multiple images of a patron or group of patrons may be collected based on the digital identifier (the alleged character information) (col. 16, lines 17-28). There is no disclosure or suggestion that the identification of images for collection is based on the position information. Accordingly, Goldberg does not disclose or suggest the claimed image collecting unit.

Because independent claims 23, 53 and 55 recite features similar to those given above with respect to claim 1, Applicant submits that claims 23, 53 and 55 are patentable for at least reasons similar to those given above with respect to claim 1.

Claim 12 recites an image screening system that comprises “an image screening unit for identifying an area in which said camera system captures said image for the target character according to said time and said position information obtained by said character positioning unit, screening images captured in other areas out of a plurality of images to obtain remaining images and selecting said image having said target character from said remaining images according to said character information.” (emphasis added). The Examiner contends that col. 7, lines 40-58,

col. 14, lines 4-7 and 51-62 and col. 16, lines 16-28, of Goldberg disclose the claimed image screening unit.

Column 7, lines 40-58, discloses that a patron's identification and the location of each car in a ride may be used to identify patrons to a particular car in an image when that image is captured. There is no disclosure or suggestion that images captured in other areas are screened to obtain remaining images. Column 14 , lines 4-7 discloses that information such as date, time and name of ride may be stored with the corresponding patron identification when an image is stored. Again, there is no information that images are screened based on area. Column 14, lines 51-62, discloses that remote cameras may be fixed or mobile and that information may be stored in a single location. There is no information that images are screened based on area. Column 16, lines 16-28, discloses that images may be collected based on a patron identifier or a group identifier. These identifiers relate to the identification of the patron or a group, not an area. Accordingly, this section also does not disclose or suggest screening images based on area.

Because Goldberg doe not disclose or suggest screening out images based on area in which the camera system captured the image, Applicant submits that Goldberg does not disclose or suggest at least the claimed image screening unit as set forth in claim 12.

Because independent claims 35, 50, 54 and 56 recite features similar to those given above with respect to claim 12, Applicant submits that claims 35, 50, 54 and 56 are patentable for at least reasons similar to those given above with respect to claim 12.

Claim 47 recites an image identifying system that comprises “a character positioning unit for obtaining ... relative position information of each person with respect to the plurality of persons in the image set; and an image identifying unit for identifying ... substantially all of the plurality of persons in one image included in the image set, based on ... the relative position information of each person in the plurality of persons.” The Examiner contends that “through the use of date, time, name of ride, the camera location ID's, remote ID tags, switches on a car and identifying head locations in a wide view image patrons, position information with respect to other patrons can be determined.” Office Action at page 6. The Examiner cites col. 7, lines 47-58, col. 13, lines 29-40, col. 14, lines 51-61, and col. 16, lines 16-29 of Goldberg to support his position.

Applicant submits that, even if “position information with respect other patrons can be determined,” this fact is not enough to disclose the claimed feature since, for the reasons given below, there is no disclosure or suggestion that the invention in Goldberg is configured to determine position information with respect to other patrons.

Column 7, lines 47-58, discloses identification of a patron based on the patron’s approximate location in a car of a ride. There is no disclosure or suggestion that patrons are identified by their “relative position information” with respect to other patrons. Accordingly, the identification of patrons with respect to locations in cars is irrelevant to the claimed features.

Column 13, lines 29-40, merely discloses that facial recognition may be used to identify patrons. The Examiner appears to construe “head locations” as the claimed relative position information, but this construction is not supported by the disclosure of Goldberg, which only

refers to identifying the “head location” of a patron within an image frame. There is no disclosure or suggestion that “relative position information” is used in the process of identifying patrons.

Column 14, lines 51-61, only discloses that that the remote camera may be fixed or mobile, not the claimed relative position information. Column 16, lines 16-29, merely discloses the collection of images is based on a patron’s identifier or a group identifier, not on the claimed relative position information.

Accordingly, for at least the reasons given above, Applicant submits that Goldberg does not disclose or suggest the claimed character positioning unit or the claimed image identifying unit as set forth in claim 47.

Applicant submit that the remaining claims are patentable at least by virtue of their respective dependencies.

In addition, claim 4 recites that the “position information of each person of the plurality of persons includes relative position information of said each person with respect to the plurality of persons [and that the] image collecting unit identifies the rest of the plurality of persons in the rest of the plurality of images based on said relative position information of said each person.” Claims 15, 26 and 38 recite similar features. Because these features are similar to those given above with respect to claim 47 and because the Examiner’s rejection of these features is similar, Applicant submits that claims 4, 15, 26 and 38 are additionally patentable for at least reasons similar to those given above with respect to claim 47.

Claim 7 recites that “said character positioning unit obtains the position information of the target character which includes information that the target character passes a first predetermined point at a certain first time, and said image collecting unit limits images to identify the target character to images that are captured in a moving range of the target character for a period of time based on said first time the target character passes said first predetermined point.” (emphasis added). Claims 18, 30 and 42 recite a similar feature. The Examiner contends that Goldberg discloses this feature. Specifically, the Examiner contends that “when a car triggers a switch this indicates that a patron has just passed a first predetermined point at a certain first time ... [and] when the patron passes a specific point as indicated by the switch the camera can take an image of the patron a certain time later based on them passes that point.”

Applicant submits that Goldberg does not disclose or suggest that the image distribution stations incorporated in the kiosks (the alleged image collecting unit) “limits images to identify the target character to images that are captured in a moving range of the target character for a period of time based on said first time.” Even assuming the Examiner’s analysis of the disclosure in Goldberg is accurate, the analysis refers to the time period that “the camera can take an image,” not the claimed limitation of the identification of the target character to images that are captured in a moving range of the target character for a period of time based on said first time. Accordingly, Goldberg does not disclose or suggest this feature, and these claims are patentable for this additional reason.

Claim 11 recites a “character speed obtaining unit that detects a speed of the target character.” Claims 22, 34 and 46 recite a similar feature. The Examiner cites col. 13, lines 6-15, as allegedly disclosing this feature.

Applicants submit that the cited section merely conveys information that remote identification may not be possible when the separation between the patron and camera is substantial. This substantial separation can occur when the camera is used in a high speed ride such as a roller coaster. In these cases, identification may have to wait until the ride slows down or stops. There is no disclosure or suggestion of obtaining “a speed of the target character” as set forth in the above claims. Accordingly, these claims are patentable for at least this additional reason.

II. Allowable Subject Matter

Applicant thanks the Examiner for finding allowable subject matter in claims 8, 10, 19-21, 31, 33, 43 and 45 and for indicating that these claims would be allowable if rewritten in independent form.

Applicant holds rewriting these claims in abeyance, until the subject matter regarding their respective base claims is resolved.

III. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

**Amendment Under 37 C.F.R. § 1.116
U.S. Serial No. 09/897,603**

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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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